

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of
Reid W. von Borstel, et al
Serial No. 08/463,740
Filed: June 5, 1995



Atty. Dkt. 1331-143
C#/M#
Group Art Unit: 1623
Examiner: Owens, H.
Date: September 10, 2001

GP/1623
#26
9-15-01
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SEP 13 2001
TECH CENTER 1600/2900

Title: PYRIMIDINE NUCLEOTIDE PRECURSORS FOR TREATMENT OF
SYSTEMIC INFLAMMATION AND INFLAMMATORY HEPATITIS
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

☐ **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Appeals from the decision dated _____ of the Examiner twice/finally
rejecting claims _____ (\$ 310.00)

\$ 0.00

☐ An appeal **BRIEF** is attached in triplicate in the pending appeal of the
above-identified application (\$ 310.00)

\$

☐ An **ORAL HEARING** is requested under Rule 194 (\$270.00)
(due within two months after Examiner's Answer)

\$ 0.00

☐ Credit for fees paid in prior appeal without decision on merits

-\$ (0.00)

☒ A Supplemental Paper attached in triplicate

(no fee)

☐ Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months; \$1390.00/4 months)

\$ 0.00

SUBTOTAL \$ 0.00

☐ Applicant claims "Small entity" status; enter 1/2 of subtotal and subtract

-\$ (0.00)

☐ "Small entity" statement attached.

SUBTOTAL \$ 0.00

Less month extension previously paid on

-\$ (0.00)

TOTAL FEE ENCLOSED \$ 0.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.
The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which
should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYTE P.C.

By Atty.: Leonard C. Mitchard, Reg. No. 29,009

Signature: _____

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In re Patent Application of

von BORSTEL et al

Serial No. 08/463,740

Filed: June 5, 1995

For: PYRIMIDINE NUCLEOTIDE
PRECURSORS FOR TREATMENT OF
SYSTEMIC INFLAMMATION AND
INFLAMMATORY HEPATITIS



Atty. Ref.: 1331-143

Group: 1623

Examiner: Owens, H.

September 10, 2001

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

SUPPLEMENTAL PAPER

Sir:

Supplemental to the Reply Brief filed October 2, 2000, Appellants wish to amend the statement in the Appeal Brief relating to related appeals and interferences to read as follows:

RELATED APPEALS AND INTERFERENCES

The claims in the present application are directed to a composition comprising an acyl derivative of uridine, cytidine or orotic acid; and an inhibitor of uridine phosphorylase. The Board's attention is drawn to the existence of a pending appeal in commonly assigned copending application Serial No. 08/473,330, filed June 7, 1995 in the name of Von Borstel et al. Claims 101 and

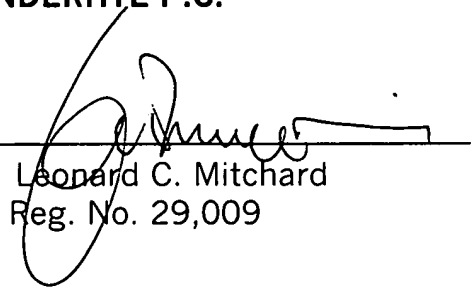
102 in the '330 application are directed to a composition comprising an acyl derivative of uridine; and a compound capable of inhibiting uridine phosphorylase. Both groups of claims have been rejected under 35 U.S.C. §103 based on different sets of references. Nevertheless, it is possible that each of these appeals could have a bearing on the other appeal.

Favorable action on this appeal is awaited.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: _____


Leonard C. Mitchard
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